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GRACE J FISHEL
11970 BORMAN DRIVE
SUITE 220
ST. LOUIS, MO 63146

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<i>Grace J. Fishel</i>	(Depositor's name)
<i>Grace J. Fishel</i>	(Signature)
January 18, 2005	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,146	10/15/2003	Vicki S. Nolan	NVS 8680	6213

TITLE OF INVENTION: FLOATATION DEVICE FOR EYEGLASSES

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$685	\$700	\$300	\$985 \$1000

EXAMINER	ART UNIT	CLASS-SUBCLASS
MAI, HUY KIM	2873	351-043000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
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1 Grace J. Fishel

2 _____

3 _____

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(A) NAME OF ASSIGNEE

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5. Change in Entity Status (from status indicated above)

a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Date January 18, 2005

Typed or printed name Grace J. Fishel

Registration No. 25,864

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vicki S. Nolan
Serial No.: 10/686,146
Filed: October 15, 2003
For: Floatation Device
For Eyeglasses

January 18, 2005
Group Art Unit 2873
Examiner: Huy K. Mai

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The examiner provided the following statement of reasons for allowance: "The prior art fails to teach a combination of all the limitations as claimed in the independent claim 1, wherein the claimed invention comprising a floatation device for eyeglasses having temples with a straight portion and a curved ear portion, said device having a body formed of a resilient, soft floatation material, said body having a longitudinal passage through which the temple can be threaded for resiliently gripping the straight portion of the temple, said passageway being substantially off centerline of the body whereby a minor portion of the body is on an inboard side of the temple and a major portion of the body is on an outboard side of the temple, as claimed. The prior art does not disclose or fairly suggest, by themselves or in combining with any other reference, to meet a combination of all the limitations as claimed in claims 1, 4. Therefore claims 1-10 could be allowable over the prior art of record."

Applicant endorses the examiner's recitation of the elements in the claims in the reasons for allowance unless it is intended that the claims are limited to the "specific" structure shown in the drawings or disclosed in the specification.

On the contrary, it is applicant's intent that the claims be broadly construed under the doctrine of equivalents free from prosecution estoppel as applicant has not amended the claims with regard to the recited elements, nor otherwise commented on the elements, does not assent to limiting them, and asserts that there is no basis in the cited references for limiting them.

Respectfully submitted,



(Mrs.) Grace J. Fishel
Reg. No. 25,864

(314) 878-0440

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 18, 2005.



Grace J. Fishel